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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

R.H. et al.,

Petitioners,

v.

THE SUPERIOR COURT OF SAN
DIEGO COUNTY,

Respondent;

SAN DIEGO COUNTY HEALTH AND
HUMAN SERVICES AGENCY,

Real Party in Interest.

D061609

(San Diego County
Super. Ct. No. J517409A)

ORDER MODIFYING OPINION AND
DENYING PETITION FOR
REHEARING

[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on August 21, 2012, be modified as follows:

1. On page 4, the first full paragraph is deleted and replaced with the following paragraph:

Approximately five months later, L.M., T.S., Marquis and L.S. were taken into protective custody based on allegations that 13-year-old L.M. had been repeatedly subjected to physical abuse in the home.

2. On page 4, the first sentence of the last paragraph is deleted and replaced as follows:

On September 8, 2011, the court conducted hearings on T.S.'s, Marquis's and L.S.'s removal from R.H. and Darnell.

3. On page 5, the last sentence of the second full paragraph is deleted and replaced as follows:

Appointed counsel represented Darnell at these proceedings with regard to issues concerning Marquis, and retained counsel represented R.H.

4. On page 11, in the first full sentence, "T.S." is replaced by "L.S.," so the sentence reads:

The risk of an erroneous decision was particularly low here as R.H. and Darnell were each represented by counsel in Marquis's case and their defense in Marquis's case was virtually identical to their defense regarding L.S.

5. On page 11, the first sentence of the last paragraph is deleted and replaced to read:

As noted, even with the assistance of counsel in the hearing concerning Marquis, the court concluded the allegations of abuse regarding L.M. and T.S. were true.

The petition for rehearing is denied.

There is no change in the judgment.

HUFFMAN, Acting P. J.

Copies to: All parties